

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID RIOS, :
: :
Plaintiff :
: :
v. : CIVIL NO. 4:17-CV-671
: :
DAUPHIN COUNTY PRISON, : (Judge Brann)
: :
Defendant :
:

ORDER

MAY 16, 2017

In accordance with the accompanying Memorandum, **IT IS HEREBY
ORDERED** that:

1. Plaintiff's action is **DISMISSED WITHOUT PREJUDICE** as frivolous pursuant to 28 U.S.C. § 1915.
2. The Clerk of Court is directed to **CLOSE** the case.
3. Any appeal from this Order will be deemed frivolous, without probable cause and not taken in good faith.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge